

KAPLAN FOX & KILSHEIMER LLP

Robert N. Kaplan (admitted *pro hac vice*)
rkaplan@kaplanfox.com

Elana Katcher (admitted *pro hac vice*)

800 Third Avenue, 38th Floor

New York, New York 10022

Telephone: (212) 687-1980

ekatcher@kaplanfox.com

Laurence D. King (SBN 206423)

1999 Harrison Street, Suite 1560

Oakland, CA 94612

Telephone: (415) 772-4700

*Steering Committee Counsel for Indirect
Purchaser Plaintiffs and the Indirect Reseller
Plaintiffs and Counsel for Plaintiffs Sofijon,
Inc., Rose And Fifth, Inc., and Napht, Inc.*

CERA LLP

Solomon B. Cera (SBN 099467)

50 California St., Suite 1500

San Francisco, CA 94111

Telephone: (415) 777-2230

scera@cerallp.com

C. Andrew Dirksen (SBN 197378)

529 Main St., Suite P200

Boston, MA 02129

Telephone: (857) 453-6555

cdirksen@cerallp.com

*Counsel for the Indirect Reseller Plaintiffs
and Proposed Steering Committee Counsel for
Indirect Purchaser Plaintiffs and the Indirect
Reseller Plaintiffs*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE JUUL LABS, INC. ANTITRUST
LITIGATION

Master File No. 3:20-cv-02345-WHO

**ADMINISTRATIVE MOTION TO FILE
UNDER SEAL INDIRECT RESELLER
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

This Document Relates To:

All Indirect Reseller Plaintiff Actions

TO THE COURT, THE PARTIES, AND ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Indirect Reseller Plaintiffs ("IRPs") will and hereby do move the Court, pursuant to Civil Local Rules 7-11 and 79-5, and the Court's June 18, 2025 Order Modifying Sealing Procedures for the June 20, 2025 Class Certification Motion (ECF No. 488), for an administrative order to conditionally file under seal:

- IRPs’ Motion for Class Certification, dated June 20, 2025; and
- Exhibits 1-96 to the Declaration of Elana Katcher in Support of Motion for Class Certification, dated June 20, 2025 (“Katcher Class Certification Declaration”).

Material to Be Filed Under Seal

Paragraph 58 of the Stipulated Protective Order prohibits a party from filing in the public record any disclosure or discovery material that is designated as confidential or highly confidential (“Protected Material”) without written permission from the Designating Party or a court order secured after appropriate notice to all interested persons. Protected Material includes portions of pleadings that contain, summarize, or reflect the Protected Material. See ECF No. 269, ¶¶ 14, 25, 58. In addition, much of the material produced in this action was provided in a reproduction by defendants of material designated by defendants and non-parties under a protective order issued in *In re Altria Group, Inc. and Juul Labs, Inc.*, F.T.C. Dkt. No. 9393 (“the FTC Action”).

Such Protected Material are contained, quoted and referred to extensively in Indirect Reseller Plaintiffs’ Motion for Class Certification, dated on June 20, 2025, and the exhibits attached to its accompanying Declaration of Elana Katcher (“Katcher Class Certification Declaration”).

Pursuant to the Court’s June 18, 2025 Order (ECF No. 488): “Plaintiffs need not file redacted versions of their motions for class certification and supporting papers on June 20, 2025, and may file all briefs and supporting papers conditionally under seal. On July 18, 2025, the parties are to provide the Court with a consolidated chart identifying what information should remain under seal for the Court’s consideration.”

Pursuant to Local Rules 79-5, the designating parties bear responsibility to establish that all of the designated material is sealable. Plaintiffs specifically reserve the right to challenge any “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL” designation under the Protective Order as well as the sealability of these documents under Civil Local Rule 79-5.

1 As required by Civil Local Rule 79-5(d)(1), the following attachments accompany this
2 motion:

- 3 1. The Declaration of Elana Katcher in Support of IRPs' Administrative Motion to
4 Seal;
- 5 2. Unredacted version of IRPs' Motion for Class Certification;
- 6 3. The Katcher Class Certification Declaration; and
- 7 4. Unredacted Exhibits 1-96 to the Katcher Class Certification Declaration.

8
9 Dated: June 20, 2025

Respectfully submitted,

10
11 /s/ Elana Katcher

Robert N. Kaplan (*pro hac vice*)

Elana Katcher (*pro hac vice*)

KAPLAN FOX & KILSHEIMER LLP

800 Third Avenue, 38th Floor

New York, NY 10022

Telephone: (212) 687-1980

Email: rkaplan@kaplanfox.com

ekatcher@kaplanfox.com

16 *Steering Committee Counsel for Indirect*
17 *Purchaser Plaintiffs and the Indirect Reseller*
18 *Plaintiffs and Counsel for Plaintiffs Sofijon, Inc.,*
Rose And Fifth, Inc., and Napht, Inc.

19 /s/ C. Andrew Dirksen

C. Andrew Dirksen (SBN 197378)

CERA LLP

529 Main Street, Suite P200

Boston, MA 02129

Telephone: (857) 453-6555

Email: cdirksen@cerallp.com

24 Solomon B. Cera (SBN 099467)

CERA LLP

50 California St. Suite 1500

San Francisco, CA 94111

Telephone: (415) 777-2230

Email: scera@cerallp.com

28 *Proposed Steering Committee Counsel for*

*Indirect Purchaser Plaintiffs and Indirect
Reseller Plaintiffs*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28